Docket No. 245787US0/phh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Masao TASAKA, et al.

SERIAL NO: 10/718,513 GAU:

FILED: November 24, 2003 EXAMINER:

FOR: A PROTEIN THAT HAS A FUNCTION OF MAINTAINING A MUTATION WHEREBY LATERAL ROOT FORMATION IS BLOCKED AND A GENE ENCODING THE PROTEIN

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:
Applicant(s) wish to disclose the following information.

REFERENCES

■ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.

☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

■ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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STATEMENT OF RELEVANCY

Reference AC on Form PTO-1449 is discussed in the specification, page 2, line 8.

Reference AD on Form PTO 1449 is discussed in the specification, page 15, lines 25-26.

Reference AE on Form PTO-1449:

The present invention was made public at the "The 25th Annual Meeting of the Molecular Biology Society of Japan", which was held at Pacifico Yokohama, Yokohama, Japan, from December 11, 2002 to December 14, 2002. The summary of the present invention was made public, in the Abstract Number W1aO-2 on the title of "Auxin-Regulated Lateral Root Meristem Formation".

From the above situation, the basic Japanese Patent application from which the present US application claims priority, was filed on May 26, 2003 under Section 30 (1) of the Japanese Patent Law (Exceptions to Lack of Novelty of Invention).

Therefore, enclosed is a copy of the Submission Documents for application of the regulation of Section 30 (1) of the Patent Law of Japan (the regulation of Exceptions to Lack of Novelty of Invention) filed with the JPO, which include abstracts of the "The 25th Annual Meeting of the Molecular Biology Society of Japan", along with its English translation.

Reference AF on Form PTO-1449:

Arabidopsis thaliana chromatin remodeling factor CHD3 (PKL) mRNA, complete cds. is disclosed as a gene corresponding to At2g25170 gene on this web page:
http:// www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&val=6478517

Reference AG on Form PTO-1449:

This document is cited in the web page:
http:// www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotid&val=6478517.

Reference AH on Form PTO-1449:

Arabidopsis thaliana GYMNOS/PICKLE mRNA, complete cds. is disclosed as a gene corresponding to At2g25170 gene on this web page:
http:// www.ncbi.nlm.nih.gov/ entrez/viewer.fcgi? db= nucleotideval=6318929

Reference AI on Form PTO-1449:

This document is cited in the web page:
http:// www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&val=6318929.

Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. 245787US0	SERIAL NO. 10/718,513
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Masao TASAKA, et al.	
		FILING DATE November 24, 2003	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	TRANSLATION NO
	AB					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AC	H. FUKAKI, et al., The Plant Journal, vol. 29, no. 2, pages 153-168, "LATERAL ROOT FORMATION IS BLOCKED BY A GAIN-OF-FUNCTION MUTATION IN THE SOLITARY-ROOT/IAA14 GENE OF ARABIDOPSIS", 2002
	AD	http://mips.gsf.de/cgi-bin/proj/thal/search_gene?code=At2g25170, 5 pages, "AT2G25170"
	AE	The 25th Annual meeting of the Molecular Biology Society of Japan, Program and Abstracts, 10 pages, "W1AO-2", December 11-14, 2002 (with English translation)
	AF	J. OGAS, et al., NCBI, Nucleotide, http:// www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&val=6478517, 3 pages, "ARABIDOPSIS THALIANA, G:6478517"
	AG	J. OGAS, et al., Pro. Natl. Acad. Sci., vol. 96, no. 24, pages 13839-13844, "PICKLE IS A CHD3 CHROMATIN-REMODELING FACTOR THAT REGULATES THE TRANSITION FROM EMBRYONIC TO VEGETATIVE DEVELOPMENT IN ARABIDOPSIS", November 23, 1999
	AH	Y. ESHED, et al., NCBI, Nucleotide, Arabidopsis Thaliana, http:// www.ncbi.nlm.nih.gov/ entrez/viewer.fcgi? db= nucleotideval=6318929, 3 pages, "DISTINCT MECHANISMS PROMOTE POLARITY ESTABLISHMENT IN CARPELS OF ARABIDOPSIS THALIANA", G: 6318929", 1999
	AI	Y. ESHED, et al., Cell press, vol. 99, pages 199-209, "DISTINCT MECHANISMS PROMOTE POLARITY ESTABLISHMENT IN CARPELS OF ARABIDOPSIS", October 15, 1999
	AJ	
	AK	
	AL	
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	AS	☐ Additional References sheet(s) attached

Examiner	Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.